

**PATENT APPLICATION**  
Attorney Docket: 2776 (203-3096PCTUS)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants:	Russell Heinrich et al.	Examiner:	Katherine Marie Dowe
Serial No.:	10/510,940	Group:	Art Unit 3734
Filed:	October 8, 2004	Dated:	July 9, 2009
For:	SURGICAL INSTRUMENTS INCLUDING MEMS DEVICES		

Mail Stop: RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Confirmation No.: 7181

**PRELIMINARY AMENDMENT "C"**

Dear Sir/Madam:

In response to the Final Office Action that was mailed on March 9, 2009 and the Advisory Action that was mailed on May 22, 2009, and in view of the Request for Continued Examination submitted herewith, please consider the following prior to examination of the above-identified application on the merits:

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 2 of this response.

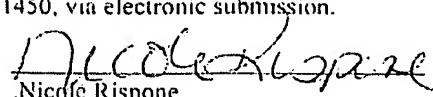
**Remarks/Arguments** begin on page 17 of this response.

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**CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being transmitted on the date below with the United States Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313-1450, via electronic submission.

Dated: July 9, 2009



Nicole Rispone